



JOSEPH R. BIDEN, III
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
820 NORTH FRENCH STREET
WILMINGTON, DELAWARE 19801

CONTACT JASON MILLER
PUBLIC INFORMATION OFFICER
PHONE (302) 577-8949
CELL (302) 893-8939
Jason.Miller@state.de.us

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Legislation Targeting Habitual Drunk Drivers Set to Become Law

Dover – Legislation that enhances prison sentences and provides for 24-hour monitoring and intensive counseling for repeat drunk driving offenders passed the state Senate tonight and is set to be signed into law.

House Bill 168, which was developed by the Attorney General's Office and sponsored by Representative Helene M. Keeley and Senate Majority Leader Patricia Blevins, passed the House on Wednesday night.

"Our top priority is getting drunk drivers off the streets because a car driven by an impaired driver is a deadly weapon. But arresting the same habitual offenders over and over is simply not effective," said Attorney General Biden. "There is a larger problem that must be addressed, and this legislation does so by increasing penalties for repeat offenses and providing counseling and monitoring to motivate and support sobriety."

"When someone has a fifth or sixth DUI, they've already lost their license – in some cases, they've lost their license for life," said Senator Blevins. "They're still driving and still driving drunk, so these are alcoholics. There's no other way, you can't pretty it up. They're alcoholics and they need treatment. Treatment works. We know it works. And, if they're not willing to get treatment on their own, we're going to force it on them and we know that works as well."

The legislation enhances penalties beginning with the third DUI offense, which calls for six months in prison, and increases to five years imprisonment for the seventh and subsequent offenses. The prison sentences can be reduced by half if the offender complies with monitoring and treatment, but are still longer than the sentences repeat offenders face under current law. HB 168 requires offenders to abstain from alcohol for the first 90 days after their release from prison as a condition of probation. To ensure compliance, the bill calls for offenders to wear an ankle bracelet that can detect alcohol in their bodily fluids. If the offender consumes alcohol while wearing the bracelet, the transdermal alcohol monitoring device alerts the probation officer and a violation may result in the offender returning to prison.

HB 168 was developed by the Attorney General's Office in consultation with state agencies, legislators and other stakeholders. The legislation is supported by Governor Jack Markell, Col. Robert

Coupe of the Delaware State Police, Newport Police Chief Michael Capriglione, President of the Delaware Police Chiefs Council, and other leaders of Delaware law enforcement.

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